

Legislation

Enacting legislation can institute widespread, long-lasting change, but the process to develop or support it can be more intensive and complex than other policy approaches. This section will help you plan your policy initiative. It poses important considerations and questions designed to help you make key decisions, design effective strategies, and identify next steps in a comprehensive action plan to promote new or revised legislation.

This section of the Policy Action Guide will walk you through the key aspects of a legislative initiative, including:

- Understanding the Context and Process
- Who Should Be Involved
 - Identifying Partners
 - Establishing Leadership
- What Needs to Be Done
 - Obtaining Input and Building Support
 - Developing the Draft
 - Planning an Outreach Strategy
 - Planning Implementation Strategies
 - Identifying Resources
 - Assessing the Results

Legislation – A law that has been enacted by a legislative body (such as Congress or a State’s general assembly).

Reminder: As you proceed, keep in mind your initial policy objectives and how they apply to an initiative to enact legislation.

Understanding the Context and Process

Each legislature and each legislator’s office within that body have a unique way of conducting business. Your policy initiative team will need to understand the established legislative procedures and requirements, become familiar with the key players, and align your strategies accordingly. In addition, it is important to look broadly at the context within which the policy will be enacted and consider how the proposed policy may affect and be affected by other existing policies and practices. After legislation is enacted, regulations often need to be developed to determine how it will be implemented. (See the Regulations approach for additional information.)



Important considerations for understanding and planning for the process include:

- Have you familiarized yourself with the process of the legislative body? Are there any particular process issues the team should be aware of (e.g., needing to introduce the legislation through a particular committee)?
- Are there any scheduling considerations with the legislative body (e.g., only accepts new legislation filings by a certain date)? What are the implications for your policy initiative team’s activities and timelines? Do you have any internal timelines you are trying to meet?
- Are there any known advocates of your issue in the current legislative body? Is one of them a potential sponsor of the legislation?
- Are there likely obstacles or opponents to the intended legislation? If so, how can these be overcome?
- What connections do team members have with legislative offices? Have you developed relationships with the office of the executive official (e.g., the President, governor, mayor, chief) who will need to sign the legislation into law if passed by the legislature?
- Has this legislation been attempted previously? If yes, why was the last effort not successful and what can be done differently to make your initiative successful?
- Are there other policies or ongoing initiatives regarding this issue that you should link to or incorporate? For example, does the proposed legislation align with any existing multiparty agreements or statewide child welfare reform efforts?

Please respond to the following:

1. Key Players

Name of legislator	Proponent of issue? (Yes/No)	Names of partner(s) who have a connection to the legislator	Notes

2. Describe any legislative rules or procedures that may affect your process (e.g., legislative timelines).

3. Describe how this legislation will connect to other policies or ongoing initiatives related to this issue, if applicable.

4. If this legislation was attempted previously, why was it not successful? What can be done differently to make your initiative successful?

5. What other considerations, decisions, or next steps need to be addressed to successfully work with the legislature?



Resources

- **California Evidence** – Based Clearinghouse for Child Welfare
- **The Community Toolbox** – University of Kansas, Work Group for Community Health and Development Information about developing and maintaining ongoing relationships with legislators and their offices.
- **Laws and Policies** – Child Welfare Information Gateway
- **Laws and Policies** – U.S. Department of Health and Human Services, Administration for Children and Families
- **Laws and Policies** – That Promote Systems of Care – Child Welfare Information Gateway
- **National Conference of State Legislatures** – Provides information about State and Federal legislation and resources on a variety of issue areas.
- **Promising Practices Network on Children, Families and Communities**
- **State and Local Government on the Net**
- **THOMAS** – Library of Congress Information about Federal legislation
- **Understanding the Policymaking Process** – National Alliance to End Homelessness
- **Using Everyday Communications to Build Congressional Relationships** – National Alliance to End Homelessness
- **Virtual Reference Desk** – United States Senate

Who Should Be Involved

A committed, hard-working team of organizations and individuals is the driving force behind new legislation. Determining the people and organizations to be involved, as well as who will serve as leaders, is a key component of any policy initiative. While one individual may initiate the policy effort and direct the identification and recruitment of partners, another individual may emerge to oversee the policy planning and/or implementation processes.

Identifying Partners

A strong partnership of individuals and organizations can greatly benefit your initiative in many ways, by establishing a broad support base, easing the work burden on any particular partner, and bringing additional resources to the table. Who you ask to participate often is related to those resources needed for your policy initiative (e.g., expertise, funding, organizational and personal connections). For example, if you realize that the policy initiative requires a social marketing campaign, you may need to recruit an individual or organization that has that expertise.



Important considerations for choosing the appropriate partners include:

- Are there potential partners that have expertise or special standing in this particular issue area or the legislature?
- Are stakeholders from all groups that will be affected by the policy included as partners, including family and community members (e.g., youth, parents, foster parents) and organizational staff (e.g., child welfare workers, managers)? Have you worked with them to identify appropriate roles (e.g., drafting or reviewing the legislation, speaking to legislators)?
- Have you considered identifying and engaging groups that could oppose your efforts in order to help overcome future barriers?
- What resources are needed to advance the policy initiative? What are the resources that each partner can provide (e.g., expertise, person-hours, funding)? Where are the gaps?
- What needs to be done to engage additional partners that can fill the gaps by providing needed resources or assistance?
- Has anyone tried to address this issue in the past? Should they be included in this effort?
- How do potential partners work together? Is there a history of collaboration?

Please respond to the following:

1. Potential Partners

Name of individual or organization	Affiliation (if an individual)	Current or prospective partner	Role in the policy initiative	Resources (e.g., expertise, funding) the partner can provide

2. What other considerations, decisions, or next steps need to be addressed to identify and recruit potential partners for the policy initiative?



Resources

- **Building and Sustaining Child Welfare Partnerships** (PDF – 595 KB) – National Technical Assistance and Evaluation Center for Systems of Care
- **Collaboration** – National Child Welfare Resource Center for Organizational Improvement
- **Community Partnerships: Improving the Response to Child Maltreatment** – U.S. Department of Health and Human Services, Children's Bureau, Office on Child Abuse and Neglect Chapter 3 describes how to build and sustain community partnerships, including selecting partners.
- **The Community Toolbox** – University of Kansas, Work Group for Community Health and Development, See Chapter 9 for information about establishing a team to create and run your initiative.
- **Interagency and Cross System Collaboration** – Child Welfare Information Gateway
- **Interagency Collaboration** – National Technical Assistance and Evaluation Center for Systems of Care
- **Promising Practices: Building Collaboration in Systems of Care** (PDF – 372 KB) – University of South Florida, Louis de la Parte Florida Mental Health Institute, Research and Training Center for Children's Mental Health
- **2007 CFSR Toolkit for Youth Involvement: Engaging Youth in the Child and Family Services Review** (PDF – 3,119 KB) – National Child Welfare Resource Center for Organizational Improvement and the National Child Welfare Resource Center for Youth Development

Establishing Leadership

Effective leadership is crucial to a successful policy initiative. Leadership goes beyond making decisions and also includes gathering pertinent information, mobilizing teams, guiding a collaborative process, managing resources, and balancing each partner's objectives with the group's mission.



The following are important considerations when selecting the appropriate leader:

- What organization is best positioned to provide a lead for the initiative?
- Does the proposed leader have experience with the legislative process?
 - If yes, is there a strong record of success?
 - If no, what resources would be needed to provide this person with the necessary support?
- Does the proposed leader have a pre-existing relationship with the legislature? If so, is it positive?

- Is the proposed leader seen as an authority on the issue?
- Does the proposed leader possess important leadership qualities (e.g., honesty, dedication)? Can he or she serve as an effective facilitator and motivator among partners?
- Will one person serve as the leader, or will multiple people serve in a leadership role? If multiple people, what will their leadership roles be?

Please respond to the following:

1. Who will lead the policy initiative?
2. What are the leader's responsibilities? If multiple people will lead, what, if any, are each person's distinct roles and responsibilities as a leader?
3. How will decisions be made?

4. What other considerations, decisions, or next steps need to be addressed to establish leadership for your policy initiative?



Resources

- [The Center for Community Leadership](#)
- [The CommunityToolbox](#) – University of Kansas, Work Group for Community Health and Development. See Part E for information about leadership, management, and group facilitation.
- [Leadership Guidance](#) (PDF – 239 KB) – American Public Human Services Association, Positioning Public Child Welfare Guidance
- [Leadership in the Improving Child Welfare Outcomes through Systems of Care Initiative](#) (PDF – 573 KB) – U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau
- [Leadership Resources](#) – Child Welfare Information Gateway
- [National Child Welfare Leadership Institute](#)
- [Systems of Care InfrastructureToolkit: Governance](#) – National Technical Assistance and Evaluation Center for Systems of Care

What Needs To Be Done

The specific action steps for a legislative policy initiative will vary depending on several factors, including the issue, the locality, established legislature procedures, and your overall strategy. It also may be shaped by the assessment presented earlier in the Policy Action Guide. When working toward affecting policy through legislation, there are certain general steps that should be incorporated:

- Obtaining input and building support
- Developing the draft
- Planning an outreach strategy
- Planning implementation strategies
- Identifying resources
- Assessing the results

Obtaining Input and Building Support

There is increasing recognition of the critical importance of incorporating consumer input into policy development processes. Moreover, personal stories from families, youth, and other service recipients and service providers can be powerful tools for gaining buy-in for proposed legislation. In addition, successful execution of new legislation requires acceptance and application at multiple levels within relevant organizations, from administrators to front line staff. As such, it is essential to gather input from and rally support among the various levels of staff through multiple avenues. Bringing all stakeholders into the policy process and actively encouraging buy-in early will help contribute to a broader base of support during implementation.



Important considerations for obtaining input and building support include:

- Who are your populations of interest for gaining initial support and providing input on drafts (e.g., organization staff, service recipients, the broader community)?
- What strategies will be used to gain buy-in and build early support for the proposed legislation?
- How will input on the proposed legislation be gathered (e.g., discussion forums, surveys, representatives serving on a policy workgroup) from key stakeholder groups, including:
 - Staff (e.g., frontline workers, supervisors, managers, administrators) who will be required to implement or oversee practices or procedures directed by the new or revised legislation?
 - Service recipients (e.g., youth, family members) who will benefit from or be affected by the proposed legislation?
 - Other organizations or service providers (e.g., partners, other community organizations) who will benefit from or be affected by the proposed legislation?
- Who are the existing champions of the legislation who can encourage buy-in among their peers? Are there other formal or informal leaders that could be engaged to garner support?

Please respond to the following:

1. Who needs to be contacted about the proposed legislation? What approaches will be taken to gather input and garner support?

Stakeholder group	How will their input be collected?

2. What other considerations, decisions, or next steps need to be addressed to obtain input from and build support among key stakeholder groups?



Resources

- **Building Community Support** – Child Welfare Information Gateway
- **The Community Toolbox** – University of Kansas, Work Group for Community Health and Development. See Part B, which includes information about obtaining input from stakeholders; Part C, which provides information about promoting interest in community issues and encouraging the involvement of diverse groups; and Part I, which includes information about using the media to promote a cause.
- **Integrating Systems of Care: Improving Quality of Care for the Most Vulnerable Children and Families** (PDF – 534 KB) – Child Welfare League of America. See Chapter 2 for information about engaging youth, families, and communities in systems integration.
- **Leadership in Systems of Care: Creating and Communicating a Shared Vision** (PDF - 565 KB) – National Technical Assistance and Evaluation Center for Systems of Care
- **Mobilizing Others** – National Alliance to End Homelessness
- **Mobilizing Through Social Media** – National Alliance to End Homelessness
- **Systems of Care Infrastructure Toolkit: Communication** – National Technical Assistance and Evaluation Center for Systems of Care
- **Systems of Care Infrastructure Toolkit: Strategic Planning** – National Technical Assistance and Evaluation Center for Systems of Care
- **Use of Communication in Quality Improvement** – Child Welfare Information Gateway

Developing the Draft

Carefully crafted language is a core component of a legislative policy initiative. The foundation for the draft can draw from stakeholder input, a review of similar policies, and research on best practices. The draft is likely to change as you move through the process, and so it is important to be flexible, creative, and attentive to detail to ensure that the final product reflects your teams' overarching goals.



Important considerations for developing the draft legislation include:

- Will your proposed legislation change an existing piece of legislation or create a new one?
- Are there existing policies that may restrict or support the proposed legislation?
- Are there any data—internal or external—that support your approach?
- Are there any policies in other locations that support the legislation you are trying to enact?

- Please respond to the following:**

- Systems of Care Policy Action Guide: Legislation www.childwelfare.gov/policyactionguide 11

4. Who will draft the legislation?

5. Who else will provide input and/or review?

6. What other considerations, decisions, or next steps need to be addressed to successfully develop the draft legislation?



Resources

- **Bill Drafting Guide 2011** – Washington State Legislature, Statute Law Committee, Office of the Code Reviser
- **Guide to Drafting Legislation** (PDF – 108 KB) – Connecticut General Assembly, Legislative Commissioner’s Office
- **Guide to Drafting Legislative Documents** – Illinois General Assembly, Legislative Reference Bureau
- **Policy Matters: Setting and Measuring Benchmarks for State Policies** (PDF – 1,541 KB) – Center for the Study of Social Policy
- **PolicyForResults.org** – Provides information on research-based policy strategies to improve the lives of children and families.
- **Systems of Care InfrastructureToolkit: Policy** – National Technical Assistance and Evaluation Center for Systems of Care

Planning an Outreach Strategy

An effective outreach strategy will actively engage a broad base of organizations and stakeholders to encourage passage of the proposed legislation and later to support its implementation. Following enactment, outreach strategies should focus on communicating the underlying principles of the legislation, the implications for practice and service delivery, and the anticipated outcomes for children and families. Outreach should be streamlined and consistent so that all team members convey the same message in an easily understandable form.



Important considerations for developing an outreach strategy include:

- Whose support is needed for the legislation because it may affect them (e.g., caseworkers, families, community service providers)? What is the most effective form of communication to your populations of interest (e.g., flyers, one-on-one meetings, community meetings, mass media)?
- What are the key messages to communicate regarding the proposed legislation?
- If media outreach is needed, which types will be most successful with the populations of interest (e.g., Web sites, TV, print)?
- Are there current media and outreach campaigns related to this issue? Have you reached out to the organizers of those campaigns?
- Does one of the team members have skills or experience in this area? Does an outside provider need to be brought in to provide communication and outreach support?
- What other forms of outreach may be required to develop broad-based support for the proposed legislation?

Please respond to the following:

1. Who needs to be notified about the enacted legislation because it will affect them (e.g., caseworkers, foster families)?

Population of interest	Message to each audience	How will the message be delivered?

2. Do any partners have connections to media members or organizations that could be used to help publicize the effort?

3. Is there an official spokesperson for your effort?

4. What other considerations, decisions, or next steps need to be addressed to develop the communications and outreach plan?



Resources

- **Gaining Buy-in From the Front Line During Times of Change** – National Technical Assistance and Evaluation Center for Systems of Care
- **Improving Child Welfare Outcomes Through Systems of Care: Systems of Care Guide: Guide for Strategic Planning** (PDF – 4696 KB) – National Technical Assistance and Evaluation Center for Systems of Care
- **The Role of Social Marketing in System Reform** – Child Welfare Information Gateway
- **Systems of Care Infrastructure Toolkit: Communication** – National Technical Assistance and Evaluation Center for Systems of Care
- **Use of Communication in Quality Improvement** – Child Welfare Information Gateway

Planning Implementation Strategies

Even before the legislation is enacted, you should begin planning for implementation. Think about how the new legislation will require changes in work processes and skill requirements and how those changes can be facilitated through recruitment, training, coaching and supervision, data systems, and administrative practices. In addition, you may need to consider developing new internal policies or multiparty agreements to align your operations with the new legislative mandates. Since policy implementation is a dynamic process, these strategies will likely evolve over time.



Important considerations for developing implementation strategies include:

- What obstacles or challenges need to be overcome (e.g., operating procedures, long-standing traditions of working

differently) to support effective implementation of the proposed legislation? What are the strategies to do so?

- What skills, abilities, or qualifications will be needed by staff to carry out the new legislation? Who will require training to effectively understand and build skills to implement the new legislation? What types of training or other professional development will be required?
- How will coaching, mentoring, or supervision be used to help staff align day-to-day practices with the new legislation? What changes, if any, will be needed in recruitment? In staff performance evaluation?
- What documents (e.g., policy manuals, client forms) will need to be modified to reflect the legislation? What data systems or administrative processes (e.g., monitoring, data collection) will need to be developed or changed?
- What changes or new development will be needed in internal policies, agency regulations, or multiparty agreements?

Please respond to the following:

1. Who, if anyone, will require training or other professional development about the legislation in order to fully implement it?

2. What new approaches or modifications will be needed to support effective implementation?

Components	New Approaches or Modifications
Staffing and recruitment	
Training and other professional development	
Coaching and supervision	
Performance appraisal	
Policy manuals	
Data and reporting systems	
Administrative processes	
Internal policies or regulations	
Multiparty agreements	
Other	

3. What other considerations, decisions, or next steps need to be addressed to plan implementation strategies?



Resources

- **The Community Toolbox** – University of Kansas, Work Group for Community Health and Development. Chapter about how to institutionalize an initiative.
- **Implementation Resources Section** – California Evidence-Based Clearinghouse
- **Improving Child Welfare Outcomes Through Systems of Care: Building the Infrastructure: A Guide for Communities** (PDF – 2004 KB) – National Technical Assistance and Evaluation Center for Systems of Care
- **Improving Child Welfare Outcomes Through Systems of Care: Systems of Care Guide: Guide for Strategic Planning** (PDF – 4696 KB) – National Technical Assistance and Evaluation Center for Systems of Care
- **National Implementation Research Network (NIRN)**
- **Systems of Care Infrastructure Toolkit: Training Development and Human Resources** – National Technical Assistance and Evaluation Center for Systems of Care

Identifying Resources

It is important to think strategically about the monetary and nonmonetary resources that will be required throughout the legislative initiative. Nonmonetary resources may include tangible items, such as meeting space, as well as the intangibles that each partner brings to the table (knowledge of the local legislative process, personal connections to legislative offices, and content-area expertise). The resources you need may fluctuate over time, so reassess periodically throughout the legislative initiative. Additionally, as you identify the required resources for your initiative, you should keep in mind the partners that will be able to provide them.



Important considerations for identifying and obtaining resources include:

- How much funding may be required to plan, support, and implement new or revised legislation? Examples of what may require funding include printed materials, advertising, Web site, transportation, and consultants.
- What types of nonmonetary resources are needed (e.g., meeting space, knowledge, skills, relationships)?
- How much staff or volunteer time will be required?
- Will formal agreements be required to obtain access to needed resources? For example, if a partner organization will be providing funding for printed materials, will a memorandum of understanding or contract be required?

Please respond to the following:

1. What resources will be required?

Resource	Source	Purpose

2. What other considerations, decisions, or next steps need to be addressed to gather adequate resources for the policy initiative?



Resources

- **Community Partnerships: Improving the Response to Child Maltreatment** – U.S. Department of Health and Human Services, Children’s Bureau, Office on Child Abuse and Neglect. Chapter 3 provides an overview of how to build and sustain a community partnership, including securing funding and other resources.
- **The Community Toolbox** – University of Kansas, Work Group for Community Health and Development. See Part L, which provides information about generating, managing, and sustaining financial resources, and Part M, which provides information about soliciting contributions and in-kind support.
- **Effective Financing Strategies for Systems of Care: Examples from the Field: A Resource Compendium for Developing a Comprehensive Financing Plan** (PDF – 2,809 KB) – University of South Florida, Louis de la Parte Florida Mental Health Institute, Research and Training Center for Children’s Mental Health
- **Finding Federal Funding** – The Finance Project
- **Grants.gov** – U.S. Department of Health and Human Services
- **Management and Supervision Funding** – Child Welfare Information Gateway
- **Maximizing Program Services Through Private Sector Partnerships and Relationships: A Guide for Faith- and Community-Based Service Providers** (PDF – 2,590 KB) – U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment
- **Systems of Care Infrastructure Toolkit: Finance** – National Technical Assistance and Evaluation Center for Systems of Care
- **National Implementation Research Network (NIRN)**
- **Systems of Care Infrastructure Toolkit: Training Development and Human Resources** – National Technical Assistance and Evaluation Center for Systems of Care

Assessing the Results

Assessing results can provide vital information for the current legislative initiative, as well as future policy efforts. The assessment can range from debrief meetings to a rigorous evaluation. Assessment data can ensure your current initiative is on its intended course, identify needs for new tactics, or help establish successful procedures. The assessment can help your team determine if and how well it met its objectives and the role of various components of the process (e.g., specific partners or strategies). Conducting an assessment also may help you communicate the impact and benefits of the legislative initiative to stakeholders.



Important considerations for the assessment of a legislative initiative include:

- What are the desired goals and objectives for the policy initiative (e.g., enacting the legislation, receiving additional money through an appropriation, meeting with a certain number of legislators, gaining a certain number of votes, gaining support from a certain number of people)?
- Can you obtain data to track the above goals and objectives?
- Does one of the team members have skills or expertise in assessment or evaluation? Does an outside provider need to be brought in to provide evaluation support?
- Will you be gathering qualitative data, quantitative data, or both? Will you be soliciting feedback from all stakeholders?
- Will you need additional funds for the assessment? Are those funds available?

Please respond to the following:

1. Who will conduct the assessment?
2. What goals or objectives might you assess?

3. What data can you obtain to measure benchmarks and progress toward those goals and objectives?

4. What challenges do you anticipate and how will you attempt to overcome them?

5. What other considerations, decisions, or next steps need to be addressed to assess the results of the policy initiative?



Resources

- **The Advocacy Evaluation Update Newsletter** – Center for Evaluation Innovation
- **Community Partnerships: Improving the Response to Child Maltreatment** – U.S. Department of Health and Human Services, Children’s Bureau, Office on Child Abuse and Neglect. Chapter 5 discusses how to measure the results of a community partnership.
- **The Community Toolbox** – University of Kansas, Work Group for Community Health and Development. See Part J for information about evaluating community programs and initiatives.
- **Evaluating Advocacy and Policy Change** – Innovation Network
- **Evaluating Program, Practice, and Service Effectiveness** – Child Welfare Information Gateway
- **The Evaluation Exchange: A Periodical on Emerging Strategies in Evaluation (Spring 2007)** (PDF- 1560 KB) – Harvard Graduate School of Education, Harvard Family Research Project
- **A Guide to Measuring Policy and Advocacy** (PDF – 256 KB) – Organizational Research Services (for Annie E. Casey Foundation)
- **Pathfinder: A Practical Guide to Advocacy Evaluation** (PDF – 1148 KB) – Innovation Network
- **The Program Manager’s Guide to Evaluation** – U.S. Department of Health and Human Services, Administration for Children and Families, Office of Planning, Research and Evaluation
- **Systems of Care Infrastructure Toolkit: Continuous Quality Improvement** – National Technical Assistance and Evaluation Center for Systems of Care

Wrap-Up

Carefully thinking through the considerations and responding to the questions in each of the preceding sections of the Action Plan Form can help your policy team systematically plan and set the groundwork for a successful legislative policy initiative. Additionally, you can use this information to complete the Next Steps Template, which is at the end of this document. You can share your Action Plan, including the Next Steps Template, with partners and other stakeholders to further develop the decisions and strategies. Furthermore, you can review this document throughout your policy initiative and amend it as needed.

As you proceed with your legislative initiative, remember that there is not a one-size-fits-all policy process. You should remain flexible in your approach, which will better enable you and your partners to work within an ever-changing social and political environment. Additionally, keep in mind that policy change is only one component in a comprehensive and ongoing change process and needs to be implemented in conjunction with supportive infrastructure elements. Above all, though, remember the ultimate underlying goal in your policy efforts: improving the lives of children and families.

Next Steps Template

This template can be used to develop a step-by-step plan for your policy initiative. Under activities, refer to the key aspects of a policy initiative that are outlined in the Policy Action Guide (e.g., establishing leadership, identifying partners, developing an outreach strategy). For the tasks, review the responses you provided as you went through the Policy Action Guide and think about the next steps required to successfully achieve each activity (e.g., sending an introductory email to stakeholders, coordinating an event). For each task, designate who will be responsible, the anticipated timeframe, and expected outcomes or products. The level of detail is up to you, but more specificity in the planning stage may make the implementation process easier to manage. You can update the last column (Status) as the initiative proceeds in order to help you track progress.

Activity	Task	Person Responsible	Estimated Start Date	Estimated Completion Date	Expected Outcome(s) or Product(s)	Status (e.g., Not Started, In Progress, Completed)